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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/724,563
		Filing Date	November 26, 2003
		First Named Inventor	Charles E. Seeney
		Art Unit	1773
		Examiner Name	Hoa T. Le
		Total Number of Pages in This Submission	15

ENCLOSURES (Check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ Remarks Credit Card Information Sheet and a pre-addressed postcard.	<input type="checkbox"/> After Allowance Communication <input type="checkbox"/> To a Technological Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below)	
		See Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Lawrence F. Grable, Esquire 211 North Robinson, Suite 450 Oklahoma City, Oklahoma 73102
Signature	
Date	December 9, 2005

CERTIFICATE OF TRANSMISSION/MAILING			
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>December 9, 2005</u>.</p>			
Typed or printed	Lawrence F. Grable, Esquire		
Signature		Date	December 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

DEC 13 2005

FEE TRANSMITTAL

For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	1,020.00
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Complete if Known	
Application Number	10/724,563
Filing Date	November 26, 2003
First Named Inventor	Charles E. Seeney
Examiner Name	Hoa T. Le
Art Unit	1773
Attorney Docket No.	9701-002

METHOD OF PAYMENT (check all that apply)

- Check Credit Card Money Order None Other (please identify): _____
- Deposit Account Deposit Account Number: _____ Deposit Account Name: _____
- For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)
- Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
- Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

APPLICATION TYPE	FILING FEES		SEARCH FEES		EXAMINATION FEES		FEES PAID (\$)
	FEE (\$)	FEE (\$)	FEE (\$)	FEE (\$)	FEE (\$)	FEE (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

Small Entity

Fee (\$)

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

Fee (\$)

Multiple dependent claims

Fee (\$)

TOTAL CLAIMS	EXTRA CLAIMS	FEE (\$)	FEE PAID (\$)	MULTIPLE DEPENDENT CLAIMS
11	HP =	71	X	=

HP = highest number of total claims paid for, if greater than 20

INDEP. CLAIMS	EXTRA CLAIMS	FEE (\$)	FEE PAID (\$)
2	HP =	8	X

HP = highest number of total claims paid for, if greater than 3

3. APPLICATION SIZE FEE
If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets of fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

TOTAL SHEETS	EXTRA SHEETS	NUMBER OF EACH ADDITIONAL 50 OR FRACTION THEREOF	FEE (\$)	FEE PAID (\$)
-100 =	/ 50 =	(round up to a whole number)	=	=

4. OTHER FEE(S)		FEES PAID (\$)
Non-English Specification, \$130 fee (no small entity discount)		_____
Other: Third month extension of time		\$1,020.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 48,148	Telephone 405/606-3369
Name (Print/Type)	Lawrence F. Grable, Esquire		Date: December 9, 2005

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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DESIGN UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Charles E. Seeney and Kenneth J. Dormer	Att'y Dkt. No. 9701-002
Serial No.:	10/724,563	Art Unit: 1773
Filed:	November 26, 2003	Examiner: Hoa T. Le
For:	METHOD AND APPARATUS FOR MAKING MAGNETICALLY RESPONSIVE NANOPARTICLES	Customer No.: 28840

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION
MAILED JUNE 14, 2005

Applicant respectfully requests that the above-referenced application be amended as follows:

Please cancel claims 1 – 44.

45. (Withdrawn) A method for making a magnetically responsive nanoparticle comprising:

vaporizing a magnetic-metal salt;

oxidizing the vaporized magnetic-metal salt to produce an metal oxide vapor; and
quenching the metal oxide vapor to produce at least one nanoparticle of a desired

5 diameter.

46. (Withdrawn) The method of claim 45 wherein the magnetic metal salt comprises a ferric and ferrous mixture having a ratio of between 2 to 1 and 10 to 1.